

RESPONSE UNDER 37 C.F.R. 1.116 -
EXPEDITED PROCEDURE - EXAMINING GROUP 3624

SEP 15 2003
JC136

Attorney's Docket No. 043757/208385

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Mark L. Braunstein
Appl. No.: 09/490,019
Filed: January 21, 2000
For: PORTABLE HEALTH ASSISTANT

Confirmation No.: 6604
Group No.: 3624
Examiner: Jagdish Patel

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SEP 23 2003
GROUP 3600

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of three months to respond to the Office Action dated March 10, 2003.
2. Applicant is a small entity; other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

| Total Months <u>Requested</u> | Fee For Other <u>Than Small Entity</u> | Fee for <u>Small Entity</u> |
|--|---|--------------------------------|
| <input type="checkbox"/> one month | \$110.00 | \$55.00 |
| <input type="checkbox"/> two months | \$410.00 | \$205.00 |
| <input checked="" type="checkbox"/> three months | \$930.00 | \$465.00 |
| <input type="checkbox"/> four months | \$1,450.00 | \$725.00 |
| <input type="checkbox"/> five months* | \$1,970.00 | \$985.00 |

*Cannot be used to exceed six-month statutory limit for response to an Official Action.

- Form PTO-2038 is enclosed authorizing charge to credit card in the amount of \$970.00 (\$465.00 extension fee, \$375.00 filing fee for Request for Continued Examination, and \$130.00 for Suspension of Action Fee)
- Charge Deposit Account No. 16-0605 for the extension fee.
- Charge Deposit Account No. 16-0605 for any fee deficiency.

11-13-2003 AWD/DAE: 00000032 09490019

465.00 0P

Respectfully submitted,

Scott E. Brient

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 10, 2003

Scott E. Brient

Scott Brient